

April 29, 1998

Clinton Nominates Laurence Cohen to Labor Relations Board
Partisan Labor Lawyer Nominated For
NLRB General Counsel

On April 22, President Clinton sent to the Senate the nomination of Laurence Cohen to be General Counsel of the National Labor Relations Board (NLRB). If confirmed, Mr. Cohen would take the place of acting NLRB general counsel Frederick Feinstein whose term expired on March 3 of this year. (See attachments for views of three major business organizations.)

Mr. Cohen currently serves as general counsel to three AFL-CIO construction affiliates: the International Brotherhood of Electrical Workers (IBEW); the International Association of Heat and Frost Insulators and Asbestos Workers; and the Building and Construction Trades Department. He also serves as a senior partner at the Washington, D.C. labor and employment law firm of Sherman, Dunn, Cohen, Leifer & Yellig.

The Cohen Record: Partisan Attacks On Senate Republicans

In a speech delivered to the International Brotherhood of Electrical Workers in September of 1986, Laurence Cohen made perfectly clear just how one-sided his politics are (and how one-sided the NLRB would be under his tenure) when he stated:

"I cannot emphasize too strongly the importance of regaining the chairmanships of the major Senate committees and taking the reins out of the hands of the likes of Orrin Hatch, Jesse Helms, Strom Thurmond, and their antiworker, antiunion allies."

The Cohen Method: Terrorizing Small Businesses

Laurence Cohen is widely acclaimed as the father of "salting." Salting is organized labor's practice of sending trained union agents into non-union companies under the pretext of seeking employment but ultimately for the purpose of inflicting the maximum amount of economic pressure possible on the company through harassment, sabotage, and the filing of frivolous complaints with government agencies.

Cohen's Little Red Book: 'Salting' Defined

For years, Laurence Cohen has served as general counsel for the International Brotherhood of Electrical Workers (IBEW). The IBEW's union organizing manual, under the influence of the "father of salting" himself explains the goal of salting as follows:

"Once [an] organizing target is identified, the organizer's full attention should be focused on identifying and evaluating the target employer's customers and qualified manpower. This is most efficiently **accomplished through the placement of salts** or, failing that, through recruiting supporters among the employer's own [employees]. A great deal of care and patience should be devoted to the activity. The information gathered will shape the strategy the organizer will use later in the campaign **to threaten or actually apply the economic pressure necessary to cause the employer to . . . raise his prices to recoup additional costs, scale back his business activities, leave the union's jurisdiction, go out of business, and so on.**" (International Brotherhood of Electrical Workers (IBEW), Union Organizing Manual)

In their monthly organizing newsletter, the IBEW explained how the NLRB can be exploited to further the goals of salting:

"These [companies] know that when they are targeted with stripping, salting and market recovery funds, it is only a matter of time before their foundations begin to crumble. **The NLRB charges, the attorney fees, and the loss of employees can lead to an unprofitable business.**" (*Organizing Power*, IBEW Newsletter, Vol. II, No. 1, p. 4, March 1995)

Cohen's Golden Rule: "That Was Then, This Is Now"

In 1984, when the Senate was in Republican hands, Laurence Cohen insisted that the NLRB be free of partisans from either the labor or management camp -- but that was then:

"Second, following the model of appointments to the federal judiciary, it is worthwhile considering the requirement of approval of potential [NLRB] Board appointees by a respected organization. Just as the American Bar Association is asked to rate prospective judicial appointments, it may be possible for the Labor and Employment Law Section of the ABA to serve the same role An alternative body might be a group of academicians in the labor law field.

Finally, **a ban on the appointment of partisan union or management representatives or advocates would certainly be a great step forward.** Indeed, consideration should be given to the possibility of choosing [NLRB] Board Members and the general counsel only from the ranks of government, arbitrators, or academicians." (*Labor Law Developments*, 1985, p. 55, from lectures presented at the Institute on Labor Law, October 18-19, 1984)

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